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Attorneys for Debtors and Debtors in Possession

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

In re:

PG&E CORPORATION,

- and -

**PACIFIC GAS AND ELECTRIC
COMPANY,**

Debtors.

- ☐ Affects PG&E Corporation
☒ Affects Pacific Gas and Electric Company
☐ Affects both Debtors

** All papers shall be filed in the lead case,
No. 19-30088 (DM)*

Bankruptcy Case
No. 19-30088 (DM)

Chapter 11
(Lead Case) (Jointly Administered)

**STIPULATION BETWEEN DEBTOR
PACIFIC GAS AND ELECTRIC
COMPANY AND TIGER NATURAL GAS,
INC. FOR LIMITED RELIEF FROM THE
AUTOMATIC STAY**

[Relates to Dkt. Nos. 4321-4322]

[Regarding Motion Set for Hearing
February 26, 2020 at 10:00 am]

1 This stipulation (the “**Stipulation**”) is entered into by and between Pacific Gas and Electric
2 Company (the “**Utility**” or the “**Debtor**”), as debtor and debtor in possession, and movant Tiger
3 Natural Gas, Inc. (“**Tiger**”). The Debtor and Tiger are referred to in this Stipulation collectively
4 as the “**Parties**,” and each as a “**Party**.” The Parties hereby stipulate and agree as follows:

5 **RECITALS**

6 A. On October 18, 2019, Tiger filed the *Motion for Relief from Stay Pursuant to 11*
7 *U.S.C. § 362(d)(1)* [Dkt. 4322] (the “**Motion**”). The Debtors filed their *Preliminary Opposition*
8 *to Tiger Natural Gas, Inc.’s Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. §*
9 *362(d)(1)* [Dkt. 4622] on November 8, 2019. On November 10, 2019, the Court issued a tentative
10 ruling proposing to drop the hearing on the Motion (the “**Hearing**”) from the November 13, 2019
11 omnibus calendar and resetting it for 2020. Tiger did not contest this tentative ruling.

12 B. On January 7, 2020, the Court set the Hearing for February 26, 2020 at 10:00 a.m.

13 C. In the Motion, Tiger seeks relief from the automatic stay to prosecute its claims in
14 the case pending in the United States District Court for the Northern District of California (the
15 “**District Court**”), *Tiger Natural Gas, Inc. v. Pacific Gas and Electric Company, et al.*, Case No.
16 4:16-CV-06711 (JSW) (the “**Tiger Action**”).

17 D. Tiger filed the Tiger Action on November 18, 2016. Its complaint alleges claims
18 against the Utility and three individual Utility employees (the “**Individual Defendants**”) relating
19 to the Debtors’ billing and collection practices, based on causes of action asserted under California
20 State law for intentional and negligent misrepresentation, intentional interference with contract,
21 breach of contract, breach of fiduciary duty and the California Unfair Competition Law, and under
22 the federal RICO and antitrust statutes.

23 E. The Debtors and the Individual Defendants filed their answer, denying all
24 allegations, on November 8, 2017.

25 F. The Debtor and its parent, PG&E Corporation (collectively the “**Debtors**”), filed
26 these Chapter 11 Cases on January 29, 2019 (the “**Petition Date**”).
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1 G. On February 4, 2019, the Debtors filed a *Notice of Bankruptcy Proceeding* in the
2 Tiger Action based on these Chapter 11 Cases. On February 27, 2019, the District Court entered
3 the *Order Staying Case and Requiring Joint Status Reports*, staying the Tiger Action as to both
4 the Utility and the Individual Defendants.

5 **NOW, THEREFORE, IT HEREBY IS STIPULATED AND AGREED BY AND**
6 **BETWEEN THE PARTIES, THROUGH THE UNDERSIGNED, AND THE PARTIES**
7 **JOINTLY REQUEST THE COURT TO ORDER, THAT:**

8 1. This Stipulation shall be effective upon entry of an order by this Court
9 approving it.

10 2. The February 26 Hearing shall be taken off calendar.

11 3. The Parties shall promptly engage in good faith settlement negotiations with
12 respect to the Tiger Action. To that end, the Parties agree to engage a mediation neutral – Hon.
13 Carl J. West (ret.), who has assisted the Parties in prior settlement efforts, if he is available; and if
14 not, a neutral selected by mutual agreement – to serve as a settlement facilitator in the Parties’
15 informal settlement negotiations and, if those negotiations do not result in a settlement of the Tiger
16 Action, to conduct a formal mediation session (the “**Mediation**”) on a mutually agreeable date that
17 will afford sufficient time for informal settlement efforts before the Mediation.

18 4. The automatic stay shall immediately be modified, to the extent necessary,
19 to permit the Parties to engage in the settlement and mediation activities described in para. 3 above.
20 The automatic stay shall remain in place for all other purposes.

21 5. If the Parties’ settlement efforts, including the Mediation, do not result in a
22 settlement between Utility and Tiger, Tiger may put the Motion back on calendar on reasonable
23 notice.

24 6. This Court shall retain jurisdiction to resolve any dispute regarding, and to
25 enforce, the terms of this Stipulation and the order approving it.
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Dated: January 21, 2020

WEIL, GOTSHAL & MANGES LLP
KELLER & BENVENUTTI LLP

/s/ Peter J. Benvenutti

Peter J. Benvenutti

*Attorneys for Debtors
and Debtors in Possession*

Dated: January 21, 2020

HOLLAND & KNIGHT LLP

/s/ Leah E. Capritta

Leah E. Capritta

Attorneys for Tiger Natural Gas, Inc.